

IN THE SUPREME COURT OF MISSISSIPPI**No. 2015-CA-00997****OXFORD MANOR CONDOMINIUM HOMEOWNERS
ASSOCIATION, et al.****APPELLANTS****v.****BRIDGE PROPERTIES OF MISSISSIPPI, LLC,
A DELAWARE LIMITED LIABILITY COMPANY****APPELLEE**

**MOTION FURTHER TO CONTINUE SUSPENSION OF BRIEFING SCHEDULE
SO AS TO EFFECTUATE SETTLEMENT AGREEMENT**

COME NOW Appellants, Oxford Manor Condominium Homeowners Association, Kirkley Investments, LLC, Yates Family Properties, L.P., Charles N. White, T. Andrew Pritchard, Betty S. Pritchard, Albert H. Laws, Stephen A. Laws, and The Paul E. Moyers 1989 Trust, together with Brooks Yates, Cross-Defendant in the portion of this action which remains pending in the Chancery Court of Lafayette County, and respectfully move this Court for a further extension of the suspension of the briefing schedule granted by this Court's Order of November 17, 2015, so as to effectuate the settlement agreement reached by all parties to this appeal, and would show unto the Court in support thereof the following:

1. By order of January 22, 2016, this Court extended through February 2, 2016, the suspension of the briefing schedule originally granted by its order of November 17, 2015, so as to permit additional time to effectuate the settlement agreement reached by all parties to this appeal and other parties on January 13, 2016. Although progress has been made toward the effectuation of the agreement, all necessary documents have not been drafted and executed. For that reason, Movants respectfully seek an additional two weeks to attempt to complete the process.

2. As this Court is aware, the factual circumstances which gave rise to this appeal also spawned other litigation still pending in both the Chancery Court of Lafayette County and the Circuit Court of Lafayette County. Those circumstances were fully explained in Appellants' Motion for a Prehearing Conference filed with this Court on August 28, 2015. Those cases include parties who are not before this Court in this appeal, and the comprehensive settlement of all litigation negotiated on January 13, 2016, necessarily includes parties not before this Court.

3. As the Motion to Continue Suspension filed on January 19, 2016, explains, the comprehensive settlement agreement includes the execution of an easement from Oxford Manor Condominium Homeowners Association and each of its members in favor of Bridge Properties of Mississippi, LLC. Counsel for Oxford Manor Condominium Homeowners Association has drafted such an easement and has circulated it to the parties to the comprehensive settlement. Although no party has objected to that draft, neither have all parties yet agreed to its terms.

4. Movants reasonably expect that a final agreement can be reached and executed within the next two weeks. For that reason, they request an extension of the suspension through February 16, 2016.

5. Movants recognize the importance that this Court places upon the prompt disposition of its docket. Should this Court decline further to suspend the briefing period, Movants remind the Court that it has previously granted only a single extension of time, found in the notice issued by the Clerk on October 13, 2015, extending the time for filing by thirty days. Movants remind this Court that its usual practice is to grant further extensions of twenty days and ten days where necessary and appropriate.

WHEREFORE, PREMISES CONSIDERED, Movants respectfully ask this Court for an extension until February 16, 2016, of the suspension of the briefing schedule so as to effectuate the settlement agreement reached among the parties.

RESPECTFULLY SUBMITTED,

Brooks Yates

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White, Jr.; T. Andrew Pritchard; Betty S.
Pritchard; Albert H. Laws; Stephen A. Laws;
The Paul E. Moyers 1989 Trust

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CERTIFICATE OF SERVICE

I, the undersigned counsel, do hereby certify that I have this day electronically filed the foregoing with the Clerk of the Court using the MEC system, which sent notification of such filing to the following:

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This the 2nd day of February, 2016.

/s/ Michael B. Wallace

Michael B. Wallace